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Attorney Docket No. 1263

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A Nitrate-Responsive Root Transcriptional Factor

the specification of which (check one)

☐ is attached hereto

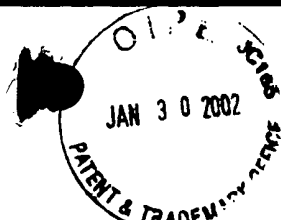
☒ was filed on October 4, 2001, as Application Serial No. 09/970,924 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

| NUMBER | COUNTRY | MM/DD/YYYY FILED | PRIORITY CLAIMED | |
|--------|---------|------------------|------------------------------|-----------------------------|
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |



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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| APPLICATION SERIAL NO. | MM/DD/YYYY FILED |
|------------------------|------------------|
| 60/238,292 | 10/5/00 |
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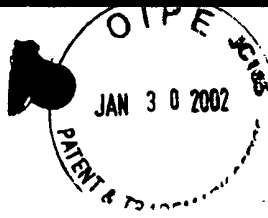
I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or 365(c) of any PCT international application designating the United States of America, listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 163(d).

| APPLICATION SERIAL NO. | MM/DD/YYYY FILED | STATUS PATENTED/PENDING/ABANDONED |
|------------------------|------------------|--------------------------------------|
| | | |
| | | |
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As a named inventor, I hereby appoint as my attorneys and/agents, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

| | |
|----------------------|-------------------------|
| Debra L. Blair | Registration No. 39,112 |
| Catherine D. Brooke | Registration No. 44,041 |
| Karen Moon Bruce | Registration No. 42,366 |
| Steven J. Callistein | Registration No. 43,525 |
| Amy L. Cigan | Registration No. 45,494 |
| Virginia Dress | Registration No. 48,243 |
| Louise A. Foutch | Registration No. 37,133 |
| Herbert H. Jervis | Registration No. 31,171 |
| Kathryn K. Lappegard | Registration No. 46,857 |
| Marianne H. Michel | Registration No. 35,286 |
| David B. Ran | Registration No. 38,589 |
| Patricia A. Sweeney | Registration No. 32,733 |
| Karen K. Varley | Registration No. 45,751 |

Serial No. 09/970,924

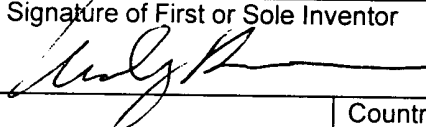


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Address all correspondence to: **Customer Number 27310.**

Direct telephone calls to: Debra L. Blair
(515) 248-4897

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | |
|--|--|----------|
| Full Name of First or Sole Inventor | Signature of First or Sole Inventor | Date |
| Wesley B. Bruce |  | 10-25-01 |
| Residence Address | Country or Citizenship | |
| Urbandale, Iowa 50322 | United States of America | |
| Post Office Address | | |
| 4625 96th Street, Urbandale, IA 50322 | | |